

## REMARKS

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding.

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2. **35 U.S.C. §112, second paragraph.**

The Examiner rejected Claim 30 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention due to insufficient antecedent basis.

10 Claim 30 has been amended to depend upon Claim 29 and not Claim 20.

Accordingly, Applicant is of the opinion that such amendment overcomes the rejection.

15 Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

20 3. **35 U.S.C. §102.**

25 (a) 35 U.S.C. §102(e).

Claims 1, 2, 5-12, 16-18, 21-28, and 32 are rejected under 35 U.S.C. §102(e) as being anticipated by Subramaniam et al (herein Subramaniam) U.S. Patent No. 6,640,302 B1.

30 25 Applicant respectfully disagrees.

Claim 1 and 17

35 Claim 1 appears as follows (emphasis added):

1. (original) An apparatus for proving authentication when a user is not present, said apparatus comprising:
  - a Web service client coupled to a service provider;
  - a Web service provider; and

35 a discovery service;  
wherein:

5 said Web service client, said service provider, said Web service provider, and said discovery service agree to work with each other; and

10 said Web service provider is configured in such a way such that said calling Web service client must prove that it has permission to request a service from said Web service provider when a live authenticated session of said user with said Web service client is not present.

15 The Examiner stated that Subramaniam teaches 'said Web service provider is configured in such a way such that said calling Web service client must prove that it has permission to request a service from said Web service provider when a live authenticated session of said user with said Web service client is not present' and cited col. 6, lines 53 – 67, which appear as follows:

20 By checking the IP address from which the request was made, communicating with the firewall software, or other familiar means, the target server 104 determines that the request came from outside the security parameter 102. Accordingly, the target server 104 does not simply provide the requested data. Of course, even if the request came from inside the security parameter 102, the target server would generally check user permissions against access control lists 25 associated with the data, or take other steps to make sure the requesting user is entitled to access the requested data before providing that data. User permissions, access control lists, labels, and similar security controls which have a granularity smaller than the security perimeter 102 may continue to be used in combination with the security constraints described herein.

25 What Subramaniam is teaching is making sure the requesting user is entitled to access the requested data before providing the data. Such teaching is discussed by Subramaniam with respect to Subramaniam's Figs. 1 and 2. It is evident by Figs. 1 and 2 to Subramaniam that the user is requesting the data stored on the target server (col. 30 6, lines 47 – 52, emphasis added):

35 With continued reference to FIG. 1 and with reference to FIG. 2 as well, the invention operates generally in the following manner. During a requesting step 120, the external client 112 requests access to data which is stored on the target server 104. From the perspective of the target server 104, this involves receiving a request during a step 200.

In stark contrast, the claimed invention teaches the Web service client requesting a service from the Web service provider on behalf of the user, i.e. when a live authenticated session of said user with said Web service client is not present.

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In fact, Subramaniam makes it clear that the user is indeed present. Support can be found in Col. 3, lines 7-12 and Col. 1, lines 9-15, as follows (emphasis added):

10 Accordingly, it would be an advancement in the art to improve the tools and techniques that are available to provide a user who is presently at a client outside the perimeter of a secure network with convenient, efficient, and secure access to data stored on a server located within the secure network.

15 The present invention relates to computer network security, and more particularly to the task of providing a user who is presently at a client machine outside the perimeter of a secure network with convenient, efficient, and secure access to data stored on a target server which is located within the secure network.

20 Therefore, in view of the discussion hereinabove, Subramaniam does not teach all claim limitations of Claims 1 and 17. Accordingly, Applicant is of the opinion that Claims 1 and 17 and the respective dependent claims are in condition for allowance. Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(e).

25 (b) 35 U.S.C. §102(b).

Claims 33-44 are rejected under 35 U.S.C. §102(e) as being anticipated by Romrell U.S. Patent No. 6,396,805 B2.

30 Applicant respectfully disagrees.

Independent Claim 33 appears as follows (emphasis added):

33. (original) A method for invoking authenticated transactions on behalf of a user when the user is not present, said method comprising the steps of:  
35 a service provider, at a time when a user is present, asking the user if said service provider can perform a particular transaction at a later point in time when

the user is not present, wherein if the user indicates yes, then said service provider sending a notification to register with any of, or both of:

a trusted discovery service; and

a Web service provider that performs said particular transaction;

5 wherein while the user is still present, the user can be asked to provide informational content related to said particular transaction; and

for invocation, said service provider making a request of the Web service provider to perform said particular transaction.

10 The Examiner stated that Romrell discloses 'a service provider, at a time when a user is present, asking the user if said service provider can perform a particular transaction at a later point in time when the user is not present' and cited Col. 8, lines 22-42.

Col. 8, lines 22-42 appear as follows (emphasis added):

15 According to another particular implementation, a system may be configured for so-called "deferred continuation." According to this latter implementation, the user is provided with an interface to checkpoint downloads at any time, not just because of a communications failure. If the user selects the deferred continuation  
20 option during a particular download, local proxy 48 checkpoints the connection by storing the partially-downloaded data object (deferred for later continuation) and returns an error to browser 32. This allows the user to, for example, browse elsewhere or disconnect until a later time. The interface further provides the user with the ability to choose when to continue the deferred download.  
25 The user may be given the option of resuming the download on demand, or the interface could alternatively permit the user to schedule the download to resume at a later point in time (such as at night). In the same manner described above with respect to automatic continuation, upon resumption local proxy 48 issues an enhanced request to remote proxy 36, causing remote proxy 36 to  
30 resume the download from an offset equal to the number of bytes previously stored by local proxy 48.

Romrell teaches a mechanism for continuing a download to a user's network client (see related Figs. 1 and 2 to Romrell). It is evident that downloading to the user's client network necessarily implies the user is present.

In stark contrast, the claimed invention teaches that the user is not present (i.e. no live authenticated session of the user), however a Web server client can invoke a transaction with a Web service provider on behalf of the user when the user is not present.

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In view of the discussion hereinabove and in section 2 hereinabove, Romrell does not teach all claim limitations of independent Claims 33 and 39. Accordingly, Applicant is of the opinion that Claims 33 and 39 and the respective dependent claims are in condition for allowance. Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(b).

10 4. 35 U.S.C. §103.

15 (a) Claims 3, 4, 19, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Subramaniam as applied to Claims 1 and 17 above, and further in view of Van Oorschot *et al* U.S. Patent No. 5,699,431.

20 The rejection of Claims 3, 4, 19, and 20 under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments concerning Claim 1 and 17, above. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

25 (b) Claims 13, 14, 29, and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Subramaniam as applied to Claims 1 and 17 above, and further in view of Ramasubramani *et al* U.S. Patent No. 6,516,316 B1.

30 The rejection of Claims 13, 14, 29, and 30 under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments concerning Claim 1 and 17, above. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

35 (c) Claims 15 and 31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Subramaniam as applied to Claims 1 and 17 above, and further in view of Yu U.S. Patent No. 4,919,545.

The rejection of Claims 15 and 31 under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments concerning Claim 1 and 17, above. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

5. It should be appreciated that Applicant has elected to amend the Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such 5 amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

### CONCLUSION

Based on the foregoing, Applicant considers the present invention to be distinguished  
5 from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent. The Examiner is invited to call to discuss the response.

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Respectfully Submitted,



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